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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  SOBEL WESTEX, INC. d/b/a  
12                  BALTIC LINEN,

13                  Plaintiff,

14                  v.  
15                  YUSEN LOGISTICS (HONG KONG)  
16                  LIMITED, EVERGREEN MARINE  
17                  CORP. (TAIWAN) LTD., YANG MING  
18                  MARINE TRANSPORT CORP., and  
19                  OCEAN NETWORK EXPRESS PTE.  
20                  LTD.,

21                  Defendants.

22                  No. 3:19-cv-5076

23                  **TEMPORARY RESTRAINING  
24                  ORDER**

25                  Plaintiff Sobel Westex d/b/a Baltic Linen (“Plaintiff”), having filed a Verified  
26                  Complaint and motion for temporary restraining order seeking to compel Defendants Yusen  
Logistics (Hong Kong) Limited (“Yusen”), Evergreen Marine Corp. (Taiwan) Ltd.  
("Evergreen"), Yang Ming Marine Transport Corp. ("Yang Ming") and Ocean Network  
Express Pte. Ltd. ("ONE") (together, "Defendants") to comply with Plaintiff's demand that  
Defendants take no further action to ship goods consisting of 216,144 printed bath towels  
valued at \$644,983.68 (the “Goods”) to Shopko Stores Operating Co., LLC (“Shopko”); the  
Goods being identified in Yusen Logistics' Cargo Receipt No. SHK-SHA-1900003 and

1 being located: (a) in Container Nos. EGHU9107158, EMCU8055630, EMCU1382414, and  
2 HMCU9011937, currently believed to be in Evergreen's possession at its port facility in  
3 Tacoma, Washington; and (b) Container Nos. TCNU4809977, TGHU5257560, and  
4 BMOU6338208 currently on board Yang Ming's maritime vessel GLEN CANYON  
5 BRIDGE under way to Tacoma, Washington, under Bill of Lading W236190976, and  
6 Plaintiff having demonstrated by its Verified Complaint that if the requested injunctive  
7 relief is not granted, a serious risk exists that the Goods, valued at \$644,983.68, will be  
8 delivered to Shopko, a bankrupt, or to third-party transferee(s) designated by Shopko, in  
9 violation of Plaintiff's right to withhold delivery of the Goods from Shopko (and/or its  
10 designees), and Plaintiff having demonstrated that such harm would be irreparable, given  
11 Shopko's bankruptcy and the serious risk that monetary damages would prove  
12 uncollectible, and Plaintiff having demonstrated that this Temporary Restraining Order  
13 should be granted without notice, to ensure that Defendants not take any action to deliver  
14 the Goods, or issue bills of lading for the goods, in violation of Plaintiff's rights, pending a  
15 response from Defendants or further hearing in this Court:

16 **IT IS HEREBY ORDERED THAT:**

17 Defendants, and each of them, are hereby restrained and enjoined, pending further  
18 Order of this Court, from:

- 19 (a) causing the Goods to be moved from Tacoma, Washington;  
20 (b) causing the Goods to be delivered to Shopko or any nominee or transferee  
21 designated by Shopko, or any other party;  
22 (c) issuing bills of lading or documents of title for the Goods; and  
23 (d) arranging for or shipping the Goods to any person at any destination  
24 whatsoever.

25 **IT IS HEREBY FURTHER ORDERED** that this Temporary Restraining Order  
26 shall be immediately effective when issued, but is issued on the condition that a bond be

1 filed or a monetary deposit be made by Plaintiff with the Clerk of the Court (within 72  
2 hours of the issuance of this Order) in the sum of (\$ 25,000) United States Dollars, for  
3 payment of such costs and damages as may be incurred or suffered by any party who is  
4 found to have been wrongfully restrained or enjoined; and

5 **IT IS HEREBY FURTHER ORDERED** that Defendants file a response  
6 indicating whether they intend to comply with Plaintiff's stop order. Defendants may  
7 respond no later than Wednesday, January 30, 2019. Based on the response, or lack  
8 thereof, the Court will reassess whether injunctive relief of any form is necessary and  
9 whether a hearing for a preliminary injunction is necessary; and

10 **IT IS HEREBY FURTHER ORDERED** that Plaintiff shall serve copies of all  
11 papers filed with the Court and this Order on Defendants by email and overnight delivery.

12 Dated this 28th day of January, 2019.

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BENJAMIN H. SETTLE  
United States District Judge